

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DENNIS A. RHODES,	:	
GERALD A. BENDER and	:	
EDWARD H. WOLFERD, JR.,	:	
individually and on behalf of all	:	
others similarly situated,	:	Civil Action No. 09-cv-01302-CDJ
	:	
Plaintiffs,	:	
	:	
v.	:	JURY TRIAL DEMANDED
	:	
ROSEMARY DIAMOND, FRANCIS S.	:	
HALLINAN, DANIEL G. SCHMIEG,	:	
LAWRENCE T. PHELAN, JUDITH T.	:	
ROMANO, FRANCIS FEDERMAN,	:	
THOMAS M. FEDERMAN,	:	
PHELAN HALLINAN & SCHMIEG, LLP,	:	
and FEDERMAN & PHELAN, LLP,	:	
	:	
Defendants.	:	

PLAINTIFFS' MOTION FOR LEAVE TO FILE AMENDED COMPLAINT

Pursuant to Federal Rule of Civil Procedure 15(a)(1), Plaintiffs respectfully move to file their Amended Complaint – Class Action in the form attached hereto as Exhibit 1. In support of this motion, Plaintiffs rely on the accompanying Memorandum of Law.

Dated: January 15, 2010

Respectfully submitted,

BURKE HESS & NARKIN

By: **John G. Narkin**
John G. Narkin
3000 Atrium Way, Suite 234
Mount Laurel, New Jersey 08054
Telephone: (856) 222-2913
Facsimile: (856) 222-2912

-and-

BURKE & HESS

By: **Michael D. Hess**

Michael D. Hess

951 Rohrerstown Road, Suite 102

Lancaster, Pennsylvania 17601

Telephone: (717) 391-2911

Facsimile: (717) 391-5808

Attorneys for Plaintiffs and the Proposed Classes